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David A. Warrington  
LeClairRyan, A Professional Corporation  
2318 Mill Road, Suite 1100  
Alexandria, Virginia 22314  
Telephone: (703) 647-5926  
Facsimile: (703) 647-5966  
Email: david.warrington@leclairryan  
(Appearing *Pro Hac Vice*)

Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT  
DISTRICT OF MONTANA**

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NATIONAL ASSOCIATION FOR	)	
GUN RIGHTS, INC.,	)	Case No. CV 16-0023-H-DLC
	)	
Plaintiff,	)	DECLARATION OF
	)	DAVID A. WARRINGTON
JEFF MANGAN, in his official	)	
Capacity as the Commissioner of	)	
Political Practices for the State of	)	
Montana; TIMOTHY C. FOX, in his	)	
Official capacity as Attorney General	)	
For the State of Montana; LEO	)	
GALLAGHER, in his official capacity	)	
as County Attorney for the County of	)	
Lewis & Clark,	)	
	)	
Defendants.	)	

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**DECLARATION OF DAVID A. WARRINGTON**

Pursuant to 19 USC § 1746, I, DAVID A. WARRINGTON, declare as follows:

1. I am over the age of 18, have personal knowledge of the facts set forth herein, and am otherwise competent to testify.

2. I am a partner at LeClairRyan, PC (the “Firm”), and am the Chair of the Firm’s Political Law practice group. I represent the National Association for Gun Rights, Inc. (“NAGR”) in the above-captioned matter. An associate with the Firm, Paris Sorrell, also represented NAGR in this matter as well.

3. I am a *magna cum laude* graduate of Georgetown University. I received my law degree from George Mason University School of Law. I am admitted to practice in the Commonwealth of Virginia.

4. For the past 12 years, my law practice has concentrated on political law with a particular focus on defending the Constitutional rights of individuals and groups who participate in the political process at the local, state, and federal levels. I am admitted to practice in the federal district courts in the District of Columbia and Colorado, and am admitted to practice before the United States Court of Appeals for the Fourth, Fifth, Ninth, and Tenth Circuits and the Supreme Court of the United States.

5. Much of my practice involves First Amendment and campaign finance litigation, both civil and criminal, in state and federal courts, including the

appellate courts, nationwide. I am frequently asked to lecture on First Amendment and political law issues and am responsible for election law education for a national association of lawyers involved in election law.

6. A true and accurate copy of my *curriculum vitae* is attached.

7. Between May 2016 and September 2017 I worked a total of 24 hours on this matter.

8. During that same period of time, Paris Sorrell worked a total of 30.8 hours on this matter.

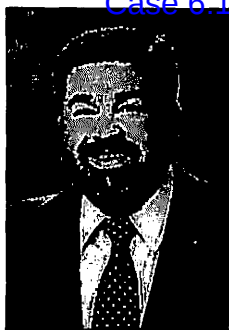
I declare under penalty of perjury and the laws of the United States of America that the foregoing is true and correct.

Executed this 2nd day of January, 2018.



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David A. Warrington



## **David A. Warrington**

### **PRACTICE AREAS**

- Chair, Political Law Group
- White Collar
- Business Litigation
- Intellectual Property

2318 Mill Road  
Suite 1100  
Alexandria, Virginia 22314

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Fax: 703.647.5966  
david.warrington@leclairryan.com

### **EXPERIENCE**

David Warrington is the leader of the Firm's Political Law Group and a member of the firm's Corporate, Intellectual Property, and White Collar Litigation practices. Mr. Warrington is a corporate litigator and constitutional lawyer who represents corporations and individuals in high stakes litigation throughout the country. In 2016 alone, he spent more than 40 days in trial as lead and co-counsel in two white collar federal jury trials involving criminal charges and civil claims exceeding two billion dollars.

He represents corporations and their officers and directors in both federal and state courts in several areas including: False Claims Act, shareholder disputes, breach of fiduciary claims, business torts and contract claims, intellectual property and trade secret disputes, and other complex litigation including white-collar investigations and criminal matters. In 2016, he represented the nation's largest privately held mortgage corporation in a six-week jury trial in Houston involving mortgage fraud charges under the False Claims Act and FIRREA.

Mr. Warrington also leads the firm's Political Law Group and is recognized as one of the leading Republican lawyers in the nation. As General Counsel for the Ron Paul 2012 Presidential Campaign Committee he led the legal team for the \$45 million 50 state campaign and led the legal team that fought the delegate challenges and Rules contest on behalf of Ron Paul delegates at 2012 Republican National Convention in Tampa, Florida. He has been called the "Lawyer to the Liberty Movement." Mr. Warrington served as counsel for the 2016 Trump Campaign to the Credentials, Platform, and Rules Committees at the Republican National Convention in Cleveland, Ohio. Additionally on behalf of the Trump Campaign, he successfully defended Trump delegates in a federal lawsuit brought by individuals who sought to challenge the ability of the Republican Party to set the rules for its delegate selection process.

Mr. Warrington has been involved in some of the highest profile political campaigns and issues in the nation and regularly represents and advises elected officials, non-profit advocacy groups, trade associations, political consultants, and political action committees on all aspects of participation in the political process at both the state and federal levels. He actively litigates cases involving political liberty based on the First, Second, and Fourth Amendments to the United States Constitution.

Mr. Warrington is a proud veteran of the United States Marine Corps.

### **LEGAL AND PROFESSIONAL EXPERIENCE**

- LeClairRyan, Alexandria, Virginia, May 2011 – Present
- Fiske & Harvey PLLC, Alexandria, Virginia, September 2007 – May 2011
- Law Clerk, The Honorable Jonathan C. Thacher, Fairfax Circuit Court, Fairfax, Virginia, August 2006 – August 2007
- Fiske & Ebersohl PLLC, Alexandria, Virginia, May 2006 – August 2006
- Burkett Warrington, Inc/The Warrington Group January 1995 – May 2006
- United States Marine Corps, Sergeant, Infantry 1985 – 1990, 1991

### **EDUCATION**

- George Mason University School of Law, J.D.

## **EXTENDED INFORMATION**

### **Representative Matters**

- Represented the Nation's largest privately held mortgage company in a six-week federal jury trial in a suit brought by the United States Attorney for the Southern District of New York alleging violations of the False Claim Act for which the Government sought \$2.2 Billion dollars in damages and penalties.
- Represented officers and directors of a corporation in multiple suits arising from \$45 million cash-out merger of a Delaware corporation. Obtained dismissal of all but one claim in the state cases and successfully opposed plaintiffs' appeal and obtained dismissal with prejudice of related federal suit.
- Successfully defended government contractor and its officers and directors on claims of copyright infringement and misappropriation of trade secrets by obtaining dismissal with prejudice at the 12(b)6 stage.
- Successfully defended corporation and its officers against claims for copyright infringement and misappropriation of likeness.
- Successfully represented a corporation in a dispute over reconciliation of international cellular data usages charges in the Supreme Court of New York's Manhattan district obtaining a \$3.6 million judgment for the client.
- Represented a secure electronic mail provider against the Federal Government in a matter arising out of the Edward Snowden investigation at the Federal District Court level and on appeal to the United States Court of Appeals for the Fourth Circuit.
- Successfully represented officers and directors of a corporation that was the target of a *Qui Tam* action against allegations of fraud on the United States Government.
- Successfully represented defendants in numerous white-collar criminal matters related to alleged violations of complex regulatory schemes.
- Successfully represented corporation and officer by obtaining dismissal of \$14,000,000 claim for professional negligence.
- Successfully defended client against a claim of civil conspiracy at the trial and appellate court levels.
- Obtained dismissal of \$4,500,000 breach of contract claim brought against client real estate developer by national home builder.
- Represented Romanian construction firm in \$25,000,000 breach of contract cases concerning work in the Green Zone in Baghdad.
- Successfully represented developer/builder in contract dispute related to a \$30,000,000 data center in Ashburn, Virginia.
- Successfully represented commercial real estate developer by obtaining dismissal of \$1,000,000 slander of title suit.
- Successfully represented commercial real estate project by negotiating restructured financing for \$6,500,000 thereby preventing foreclosure.

- Successfully represented the Washington D.C. television, radio, and print news media seeking access for cameras in the courtroom for a murder trial being held in the Alexandria Virginia Circuit Court. This was the first instance of cameras being allowed in the Alexandria Circuit Court. Also part of the team that obtained camera access to proceedings in Fairfax Circuit for the first time in twenty years.
- Successfully represented several Super PACs at the Federal Election Commission (FEC) in Matters Under Review (MUR) arising from independent expenditure reporting resulting in dismissal of complaints.
- Successfully represented federal candidate's campaign in MUR alleging misreporting of campaign expenditures.
- Advised and represented numerous independent expenditure committees, PACs, and candidates before the FEC and on compliance matters.
- Advised and represented numerous issue advocacy organizations on both federal and state laws related to campaign finance regulations and spending in elections.
- Lead counsel on several pending cases challenging state laws restricting issue advocacy in the periods immediately leading up to elections.
- Lead counsel on a suit by a non-profit corporation challenging the Contraceptive Mandate to the Affordable Care Act.

### **Speaking Engagements**

- "Your First Day in Practice in the Fairfax Circuit Court," Fairfax Bar Association, 2008
- "What Really Happened in Tampa," Liberty Political Action Conference 2012
- "The Fourth Amendment and the Attack on Your Civil Liberties," Liberty Political Action Conference 2013
- "The First Amendment Under Attack; the IRS and Freedom of Association and Speech," Liberty Political Action Conference, 2014
- "Legal Scared Straight: Legal Pitfalls in the Highly Regulated World of Politics and How to Avoid Them," Foundation for Applied Conservative Leadership, 2016

### **Publications**

- ***Democrats, media are launching Alinskyesque attacks on McGahn,*** February 27, 2017, The Hill.
- ***The Witch Hunt Against Sessions Will Just Make Democrats Look Ridiculous,*** March 3, 2017, Daily Caller.
- ***Jim Webb should be honored for his service even if some are offended,*** March 31, 2017, The Hill.
- ***Do Democrats oppose Gorsuch because they hate free speech? (Yes.),*** April 3, 2017, The Hill.
- ***Jeff Sessions' Conduct Has Been Beyond Reproach,*** June 13, 2017, Daily Caller.
- ***Are Democrats trying to pin the blame for their own sins on Russia?,*** June 25, 2017, The Hill.

### **Classes and Seminars Taught**

- Adjunct Professor, George Mason University School of Law

## **Honors and Awards**

- Recognized as a Virginia Super Lawyers Rising Star by *Law & Politics* magazine for Business Litigation, 2013-2016
- Member George Mason School of Law Alumni Board, (Vice President 2015)

## **Professional Memberships**

- American Bar Association
- Virginia State Bar
- Federal Bar Association
- Federalist Society
- Alexandria Bar Association
- Virginia Trial Lawyers Association
- Fairfax Bar Association: Board Member (2007 – 2008)
- George Mason Inns of Court
- Republican National Lawyers Association, Board of Governors (2013-Present)
  - Vice President for Education (2017)

## **Admissions**

- Virginia
- District of Columbia (Federal Only)
- U.S. District Court for the Eastern District of Virginia
- U.S. District Court for the District of Colorado
- U.S. Court of Appeals for Veterans Claims
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- Supreme Court of Virginia
- United States Supreme Court



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Date	Initials	Name / Invoice Number	Hours	Amount	Description
10/06/2016	1847	Paris M. Sorrell	0.30	87.00	Confer with D. Warrington regarding admission
11/14/2016		Invoice=741240	0.30	87.00	and summary judgment brief.
10/17/2016	2650	David A. Warrington	1.00	415.00	Review discovery plan and stipulations and
11/14/2016		Invoice=741240	1.00	415.00	confer with local counsel re same.
10/19/2016	1847	Paris M. Sorrell	2.40	695.00	Review and analyze pleadings in preparation
11/14/2016		Invoice=741240	2.40	695.00	for MSJ drafting.
10/24/2016	1847	Paris M. Sorrell	3.00	870.00	Begin drafting facts for memo in support of
11/14/2016		Invoice=741240	3.00	870.00	MSJ. Draft MSJ. Begin drafting memo in support of MSJ.
10/25/2016	1847	Paris M. Sorrell	3.10	899.00	Continue drafting statement of facts and memo
11/14/2016		Invoice=741240	3.10	899.00	in support of SJ.
10/26/2016	1847	Paris M. Sorrell	0.80	232.00	Continue editing statement of facts for MSJ.
11/14/2016		Invoice=741240	0.80	232.00	
10/27/2016	1847	Paris M. Sorrell	4.30	1,247.00	Continue drafting memo in support of MSJ.
11/14/2016		Invoice=741240	4.30	1,247.00	Continue drafting statement of facts. Draft pro hac vice application for D. Warrington.
10/28/2016	1847	Paris M. Sorrell	0.60	174.00	Continue editing memo in support of SJ.
11/14/2016		Invoice=741240	0.60	174.00	
10/31/2016	1847	Paris M. Sorrell	5.40	1,566.00	Continue drafting and editing statement of
11/14/2016		Invoice=741240	5.40	1,566.00	facts. Continue drafting and editing memo in support of SJ. Review local rules and edit MSJ documents to conform with same.
11/01/2016	1847	Paris M. Sorrell	1.40	406.00	Continue editing memo in support of SJ and
12/08/2016		Invoice=745593	1.40	406.00	statement of facts. Forward same to D. Warrington for review. Edit DAW pro hac documents. Forward same for review.
12/02/2016	1847	Paris M. Sorrell	0.40	116.00	Review and edit pleadings.
01/05/2017		Invoice=749371	0.40	116.00	
01/11/2017	1847	Paris M. Sorrell	0.10	29.00	Review M. Morforton comments regarding
02/08/2017		Invoice=754753	0.10	29.00	statement of facts.
01/16/2017	2650	David A. Warrington	2.00	900.00	Review and revise summary judgment draft.
02/08/2017		Invoice=754753	2.00	900.00	work on strategy for litigation.
02/06/2017	1847	Paris M. Sorrell	0.30	87.00	Review pleadings regarding extending SJ date.
03/13/2017		Invoice=761027	0.30	87.00	



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Date	Initials	Name / Invoice Number	Hours	Amount	Description
03/13/2017		Invoice=761027	1.00	450.00	draft of MSJ brief.
02/13/2017	2650	David A. Warrington	0.50	225.00	Pro-hac vice motion.
03/13/2017		Invoice=761027	0.50	225.00	
02/14/2017	2650	David A. Warrington	2.50	1,125.00	Review final SJ brief.
03/13/2017		Invoice=761027	2.50	1,125.00	
02/15/2017	1847	Paris M. Sorrell	0.90	261.00	Review and exchange correspondence regarding
03/13/2017		Invoice=761027	0.90	261.00	MSJ. Draft and edit MSJ with statement of facts.
02/15/2017	2650	David A. Warrington	2.50	1,125.00	Revise final version of brief in support of
03/13/2017		Invoice=761027	2.50	1,125.00	MSJ, DWB affidavit and statement of facts; correspond with local counsel re same.
02/16/2017	1847	Paris M. Sorrell	0.30	87.00	Review pleadings and correspondence from
03/13/2017		Invoice=761027	0.30	87.00	local counsel.
02/21/2017	2650	David A. Warrington	2.70	1,215.00	Review case law to prepare amended complaint
03/13/2017		Invoice=761027	2.70	1,215.00	(1.5): confer with L. Machado and P. Sorrell re strategy for amended complaint (1.2).
02/21/2017	1847	Paris M. Sorrell	0.20	58.00	Review filed pleadings.
03/13/2017		Invoice=761027	0.20	58.00	
02/27/2017	1847	Paris M. Sorrell	0.50	145.00	Draft and edit DAW ecf registration and
03/13/2017		Invoice=761027	0.50	145.00	acknowledgement of PHV admission.
02/28/2017	1847	Paris M. Sorrell	0.20	58.00	Edit DAW phv application and acknowledgment
03/13/2017		Invoice=761027	0.20	58.00	of PHV admission.
03/01/2017	1847	Paris M. Sorrell	0.20	58.00	Review correspondence regarding ECF approval.
04/13/2017		Invoice=765896	0.20	58.00	Edit acknowledgement regarding PHV admission.
03/03/2017	1847	Paris M. Sorrell	0.10	29.00	Review and edit acknowledgement of PHV terms
04/13/2017		Invoice=765896	0.10	29.00	pleading.
03/06/2017	1847	Paris M. Sorrell	0.30	87.00	Correspondence regarding filing PHV admission
04/13/2017		Invoice=765896	0.30	87.00	acknowledgement.
03/06/2017	2650	David A. Warrington	0.50	225.00	Comply with Pro Hac Vice order and file
04/13/2017		Invoice=765896	0.50	225.00	acknowledgement notice.
03/08/2017	1847	Paris M. Sorrell	0.10	29.00	Correspondence regarding filed pleadings.
04/13/2017		Invoice=765896	0.10	29.00	
03/08/2017	2650	David A. Warrington	1.50	675.00	Review brief filed by MT COPP in opposition

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Worked Date: <span style="border: 1px solid black; padding: 2px;">01/01/2009</span> To <span style="border: 1px solid black; padding: 2px;">12/19/2017</span> Billed Date: <span style="border: 1px solid black; padding: 2px;"></span> Invoice Number: <span style="border: 1px solid black; padding: 2px;"></span>	

Date	Initials	Name / Invoice Number	Hours	Amount	Description
04/13/2017		Invoice=765896	0.30	87.00	acknowledgement.
03/06/2017	2650	David A. Warrington	0.50	225.00	Comply with Pro Hac Vice order and file
04/13/2017		Invoice=765896	0.50	225.00	acknowledgement notice.
03/08/2017	1847	Paris M. Sorrell	0.10	29.00	Correspondence regarding filed pleadings.
04/13/2017		Invoice=765896	0.10	29.00	
03/08/2017	2650	David A. Warrington	1.50	675.00	Review brief filed by MT COPP in opposition
04/13/2017		Invoice=765896	1.50	675.00	to motion for summary judgment.
03/09/2017	1847	Paris M. Sorrell	0.20	58.00	Correspondence regarding filed pleadings and
04/13/2017		Invoice=765896	0.20	58.00	deadlines.
03/17/2017	2650	David A. Warrington	2.70	1,215.00	Review opposition brief filed by Motl; draft
04/13/2017		Invoice=765896	2.70	1,215.00	issues to address in reply; confer with local counsel Monforton re drafting.
03/21/2017	1847	Paris M. Sorrell	0.80	232.00	Review and analyze response brief. Begin
04/13/2017		Invoice=765896	0.80	232.00	editing same.
03/22/2017	2650	David A. Warrington	3.50	1,575.00	Review revise and edit reply brief (3.0);
04/13/2017		Invoice=765896	3.50	1,575.00	confer with local counsel Monforton (2); confer with P. Sorrell re reply brief (3).
03/22/2017	1847	Paris M. Sorrell	4.50	1,305.00	Review and edit reply brief. Review and edit
04/13/2017		Invoice=765896	4.50	1,305.00	disputed facts.
04/05/2017	1847	Paris M. Sorrell	0.30	87.00	Review correspondence regarding government
05/12/2017		Invoice=770991	0.30	87.00	response.
04/05/2017	2650	David A. Warrington	2.00	900.00	Review Motl Reply Brief.
05/12/2017		Invoice=770991	2.00	900.00	
04/13/2017	2650	David A. Warrington	1.00	450.00	Review Motl reply brief.
05/12/2017		Invoice=770991	1.00	450.00	
04/17/2017	1847	Paris M. Sorrell	0.10	29.00	Review correspondence from local counsel.
05/12/2017		Invoice=770991	0.10	29.00	
04/24/2017	2650	David A. Warrington	0.60	270.00	Phone call with M. Monforton re case strategy.
05/12/2017		Invoice=770991	0.60	270.00	
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Invoice Number:

Date	Initials	Name / Invoice Number	Code	Quantity	Rate	Amount	Description
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12/09/2016		Invoice=745993		1.00	15.40	15.40	
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12/02/2016	1847	Paris M. Sorrell	CRTFEE	1.00	4.40	4.40	Pacer Service Center
02/08/2017		Invoice=754753		1.00	4.40	4.40	
		Voucher=640502 Paid					Vendor=PACER Service Center Balance=.00 Amount
							Check #100420 01/18/2017
10/04/2017	2650	David A. Warrington	OSCSIM	1.00	230.00	230.00	Other Costs - Vendor: WellsOne Commerical
11/29/2017		Invoice=802103		1.00	230.00	230.00	Card U.S. Court of Appeal - Application to the
		Voucher=680386 Paid					9th Circuit for Attorney Admission Fee
							Vendor=WellsOne Commerical Card Balance=.00 Amount
							8431.27
							Check #101638 10/20/2017
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		BILLED TOTALS: BILL:				250.20	
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		GRAND TOTAL: BILL:				250.20	